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FAX COVER SHEET**Facsimile Transmission****Date and time of transmission:** Monday, April 07, 2008 3:04:58 PM**Number of pages:** 06 (Including this cover page.)Name James Zurita
Company U.S. Patent & Trademark Office
Location Alexandria, VAFax Number 915712736766
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PTOL-413A (10-07)

Approved for use through 02/29/2008. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**

Application No.: 09/518,916 First Named Applicant: Lukas, Andrew V.
 Examiner: James Zurita Art Unit: 3625 Status of Application: Final Rejection

Tentative Participants:

(1) William S. Morriss (2) James Zurita
 (3) _____ (4) _____

Proposed Date of Interview: 04/08/2008 Proposed Time: 2:00 (AM/PM) (PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1</u>	<u>Henson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>9-11</u>	<u>Henson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Rej.</u>	<u>27</u>	<u>Henson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Henson can be distinguished from the proposed claims based on the fact that,
while Henson discloses maintaining some information, it does not disclose
maintaining a user profile as recited in the proposed claims. See continuation sheet.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

William S. Morriss
 Applicant/Applicant's Representative Signature

 Examiner/SPE Signature

William S. Morriss
 Typed/Printed Name of Applicant or Representative

60,477

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

For the purpose of discussion only, the applicants propose that the following potential amendments could be made to claims 1, 9 and 11:

1. A method of optimizing a product ~~during an optimization session, each optimization session comprising one or more computer sessions~~, said product including a base product, the method comprising the steps of:
 - (a) obtaining an identification of a user and a preliminary designation of said product; said identification identifying a user profile that is uniquely associated with said user, the user profile being persistent across multiple optimization sessions and ~~including at least one characteristic corresponding to said user~~ comprising a plurality of characteristics of said user, said plurality of characteristics comprising:
 - (1) a preferred social interaction type;
 - (2) a plurality of domain familiarity indications, each of said domain familiarity indications reflecting said user's knowledge about a specific product domain; and
 - (3) a price sensitivity for said user;
 - (b) providing a formatted display that includes a set of content related to said product and a format, the set of content ~~and the format~~ determined at least in part by a characteristic selected from the group consisting of:
 - (1) the preferred social interaction type;
 - (2) the plurality of domain familiarity indications; and
 - (3) the price sensitivity for said user;~~by the at least one characteristic in said user profile;~~
 - (c) updating, based on a response by the user;
 - (1) the plurality of characteristics to create an updated user profile, wherein updating the plurality of characteristics comprises updating at least one characteristic selected from the group consisting of:
 - i) the preferred social interaction type;
 - ii) the plurality of domain familiarity indications; and
 - iii) the price sensitivity for said user;~~the at least one characteristic in said user profile to create an updated user~~

profile;

- (2) a component associated with said base product when said response includes a selection of an option from a different set of options associated with said component;
 - (d) storing said updated user profile to determine the set of content ~~and format~~ of the formatted display for a future presentation made to said user, wherein the set of content of the formatted display for the future presentation is determined at least in part by a characteristic selected from the group consisting of:
 - (1) the preferred social interaction type;
 - (2) the plurality of domain familiarity indications; and
 - (3) the price sensitivity for said user; and
 - (e) repeating steps (b) through (d) across one or more computer sessions at least once to optimize said product.
9. The method of Claim 1, wherein said set of content for said formatted display ~~reports a correlation between~~ is further determined based on a suitability factor of said ~~[[a]] component in said product and for an intended use for the product a characteristic in said user profile and wherein the component is emphasized when said correlation~~ suitability factor exceeds a threshold value.
11. The method of Claim 9, further comprising the steps of:
- determining a change to ~~[[a]]~~ said component ~~in the plurality of components associated with said base product that maximizes said correlation between said~~ suitability factor of said component in said product for the user's intended use for said product and ~~said characteristic in said user profile;~~
 - presenting said change in response to a user generated event; and
 - implementing said change to said product when a confirming response is received.

In light of the proposed amendments, the applicants would like to discuss the following arguments:

1) Without conceding the propriety of the pending rejections, the applicants submit that proposed claim 1 is clearly different from Henson because Henson simply does not teach or suggest the existence or use of a user profile which is recited in claim 1. Particularly, the applicants note that Henson does not teach or suggest a user profile comprising the characteristics of a preferred social interaction type; a plurality of domain familiarity indications, each of said domain familiarity indications reflecting said user's knowledge about a specific product domain; and a price sensitivity for the user, all of which are recited in the proposed amended claim 1.

2) Regarding claims 9-11, the applicants note that original recitation of a "correlation" which resulted in a rejection of those claims under 35 U.S.C. § 112 has been replaced with a recitation that the content of the formatted display is determined based on a suitability factor for a product, and the user's intended use for that product. While not conceding the propriety of the original rejections, the applicants submit that this replacement should overcome any lingering doubt as to whether the claims meet the requirements of 35 U.S.C. § 112. Additionally, the applicants note that these amendments also clearly distinguish Henson, as that reference does not teach or suggest the use of a suitability factor as recited, particularly not in terms of maximizing the suitability factor, as is recited in proposed claim 11.

3) Regarding claim 27, the applicants submit that the rejection of that claim should be withdrawn for at least the reason that comparing a description of an option with a characteristic in a user profile is simply not taught or suggested in Henson. Figure 5 of Henson, which was cited as disclosing those features, simply illustrates a configuration screen in which all system options are presented to the user. Figure 5 of Henson does not describe the functions that are used to generate that configuration screen, let alone teaching that the function used for determining the set of content comprises comparing a description of an option with a characteristic in a user profile.

Also, the applicants would like to discuss the statement that the Information Disclosure Statement filed on December 31, 2007 is not in compliance with 37 C.F.R. §§ 1.97, 1.98. The applicants submit that that information disclosure statement should be considered even though it refers to references which are not applications related to the instant application.

Finally, to the extent that the examiner believes that one or more of the pending claims may be allowable if certain amendments were made, the applicants request that the examiner suggest such amendments so that an agreement as to patentability of the pending claims can be reached.